IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

ALYSSON MILLS, IN HER CAPACITY AS RECEIVER FOR ARTHUR LAMAR ADAMS AND MADISON TIMBER PROPERTIES, LLC — **PLAINTIFF**

V. — **CAUSE NO. 3:18-CV-679-CWR-FKB**

MICHAEL D. BILLINGS and MDB GROUP, LLC; TERRY WAYNE KELLY, JR. and KELLY MANAGEMENT, LLC; and WILLIAM B. MCHENRY, JR. and FIRST SOUTH INVESTMENTS, LLC — **DEFENDANTS**

ORDER

Before the Court is William B. McHenry, Jr.'s "Response to Order." Docket No. 116. Given its arguments, the motion will be construed as one seeking reconsideration.

The applicable legal standard is well-established.

> A Rule 59(e) motion calls into question the correctness of a judgment. This Court has held that such a motion is not the proper vehicle for rehashing evidence, legal theories, or arguments that could have been offered or raised before the entry of judgment. Rather, Rule 59(e) serves the narrow purpose of allowing a party to correct manifest errors of law or fact or to present newly discovered evidence. Reconsideration of a judgment after its entry is an extraordinary remedy that should be used sparingly.

Templet v. HydroChem Inc., 367 F.3d 473, 478–79 (5th Cir. 2004) (cleaned up).

On review, the Court discerns no manifest error of law or fact, and sees no newly discovered evidence, sufficient to warrant the extraordinary remedy of reconsideration. The motion is denied.

A final word on briefing. The present filing is one in a series of inappropriate sur-replies. *See* Docket Nos. 110 and 113. McHenry is advised to discontinue this practice as it is not

authorized by the Local or Federal Rules of Civil Procedure. "Eventually we reach a point where all this metapleading must stop, and this is that point." *United States ex rel. Debra Hockett v. Columbia/HCA Healthcare Corp.*, 498 F. Supp. 2d 25, 36 (D.D.C. 2007).

SO ORDERED, this the 6th day of January, 2022.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE